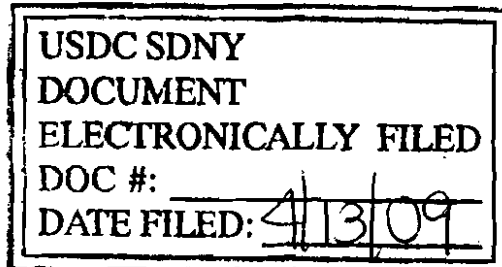


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
ROBERT RYERSEN, Individually and on
Behalf of All other persons similarly
situated,

Plaintiffs,

- against -

MERRILL LYNCH & CO, INC., and MERRILL
LYNCH, PIERCE, FENNER & SMITH, INC.,

Defendants.
-----X

07 Civ. 3564 (RWS)


O R D E R

Sweet, D.J.,

Plaintiff's motion for an order for sanctions pursuant to
Fed. R. Civ. P. 37(b)(2) will be heard at noon on Wednesday, April
15, 2009, in courtroom 18C. All motion papers shall be served in
accordance with Local Civil Rule 6.1.

It is so ordered.

New York, NY
April 10, 2008


ROBERT W. SWEET
U.S.D.J.